

This is a link to Montana's wolf management plan. Pages 41 & 42 describe LLRMB.

<http://fwpiis.mt.gov/content/getItem.aspx?id=42350>

### **Montana Livestock Loss Reduction and Mitigation Program: a Montana-based Reimbursement Program**

The Montana Wolf Conservation and Management Plan called for creation of a Montana-based program to address the economic impacts of verified wolf-caused livestock losses. The plan identified the need for an **entity independent from MFWP** to administer the program. The plan also identified that the reimbursement program would be funded through sources independent from MFWP's wolf management dollars and other MFWP funds intended for fish and wildlife management.

The creation of an adequately funded loss reduction and damage mitigation program will help determine the degree to which people will share the land with wolves, to which the success of wolf recovery can be assured into the future, and the degree to which individual livestock operators who are adversely affected economically by wolf recovery are able to remain viable.

**Maintaining private lands in agricultural production provides habitat for a wide variety of wildlife in Montana and is vital to wolf conservation in the long run.**

In keeping with Montana's tradition of broad-based citizen participation in wolf conservation and management, a diverse, 30-member working group met 4 times in 2005. The working group was comprised of private citizens, representatives from non-governmental organizations, and representatives from state and federal agencies. A smaller subcommittee continued to meet in 2006. This group finalized a framework which then became the basis for legislation in the 2007 Montana Legislature.

**As a part of the comprehensive wolf program implemented by MFWP and its cooperators, the Montana Livestock Loss Reduction and Mitigation Program (MLLRMP) addresses economic losses due to wolf predation and creates incentives for producers to take proactive, preventive steps to decrease the risk of loss.** The large working group agreed that both government and livestock producers want to take reasonable and cost-effective measures to reduce losses, that it is not possible to prevent all losses, and that livestock producers should not incur disproportionate impacts as a result of recovery of Montana's wolf population.

**There are three basic components: a loss reduction element, a loss mitigation element, and the state wolf management plan.** MFWP and USDA WS would fulfill their responsibilities and roles outlined in the state management plan. **The loss reduction and loss mitigation elements are administered by an independent quasi-judicial board that is administratively attached to the Montana Department of Livestock**

Of particular concern to all participants was the need to secure funding for both the proactive work and the loss reimbursement components of the Montana wolf program. The working group explored a variety of funding mechanisms. Both the Montana Wolf Advisory Council and the second working group concluded that the MLLRMP would be funded through special state or federal appropriations or private donations. Both groups agreed that MFWP's wolf management dollars, and other MFWP funds (license revenue and federal matching Pittman-Robertson or Dingle Johnson dollars) would not be used to reimburse wolf-caused losses. Private donations will also be sought.

During the 2007 Montana Legislative session, a bill to establish the framework of the working

group was introduced and passed (HB364). The legislation created the Livestock Loss Reduction and Mitigation Board to administer programs for the mitigation and reimbursement of livestock losses by wolves. It also established the quasi-judicial board, its purpose, membership, powers and duties, and reporting requirements. **The Board is administratively attached to the Montana Department of Livestock, but its role and duties are wholly independent from the Department and the Montana Board of Livestock and vice versa.** Late in 2007, the Governor appointed the first Board.

The purposes of the Montana Livestock Loss Reduction and Mitigation Program are to proactively apply prevention tools and incentives to decrease the risk of wolf-caused losses, minimize the number of livestock killed by wolves through proactive livestock management strategies, and provide financial reimbursements to producers for losses caused by wolves based on the program criteria.

The Loss Reduction element is intended to minimize losses proactively by reducing risk of loss through prevention tools such as night pens, guarding animals, or increasing human presence with range riders and herders. Active management of the wolf population by MFWP under the approved Montana Wolf Plan (and the applicable federal regulations for now) should also help decrease the risk of loss.

The Loss Mitigation element implements a reimbursement payment system for confirmed and probable losses that can be verified by USDA WS. Indirect losses and costs are not directly covered, but eventually could be addressed through application of a multiplier for confirmed losses and a system of bonus or incentive payments. Eligible livestock losses are cattle, calves, hogs, pigs, horses, mules, sheep, lambs, goats, llamas, and guarding animals. Confirmed and probable death losses are reimbursed at 100% of fair market value. Veterinary bills for injured livestock that are confirmed due to wolves may be covered at up to 100% of fair market value of the animal when funding becomes available.

The legislation also codified much of the actual draft framework in state law. It directed the Board to establish a program to cost-share with livestock producers who are interested in implementing measures to decrease the risk of wolf predation on livestock. It also directed the Board to establish and administer a program to reimburse livestock producers for losses caused by wolves. While some details of the grant program (loss reduction) and the reimbursement program (loss mitigation) are established in statute, the Board will still need to establish additional details through a rule-making process, which will include public comment opportunities. Rulemaking is expected in 2009 2010 to finalize and establish other program implementation details in the Administrative Rules of Montana.

HB364 also established special state and federal revenue accounts, respectively. The funds may only be used to implement the loss reduction grants program and reimburse wolf-caused losses. HB 364 also established a trust fund with an intended principal of \$5 million dollars. The earned interest from the trust fund pays for the program. The Legislature did not appropriate dollars for either of the special revenue accounts or the trust fund.

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## EIS Executive Summary – LLRMB Portion

<http://fwpiis.mt.gov/content/getItem.aspx?id=31249>

The second element addresses the economic losses of individual livestock producers through a compensation program when livestock are injured or killed by wolves. The two elements, management and compensation, are funded, administered, and implemented separately and independently of one another -- but parallel one another, united in the goal of maintaining a viable wolf population and addressing economic losses. This Alternative would maintain and enhance the benefits of the compensation program. The State of Montana intends to find or create an entity to administer a compensation program.

This alternative would be funded using a combination of sources to conserve and manage this native species on equal standing with other carnivores like mountain lions or black bears. License revenue will be used to partially fund the program since FWP intends to use regulated harvest as a management tool. FWP acknowledges that existing financial resources are not adequate. FWP seek will additional funding from a diversity of sources, including special state or federal appropriations, private foundations, or other private sources. The states of Montana, Idaho, and Wyoming are still investigating the idea of a grizzly bear/gray wolf trust fund that would be created through a special federal appropriation to fund the conservation and management of these two species of national significance. Compensation for livestock losses would be funded independently.

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## EIS Chapter 1

<http://fwpiis.mt.gov/content/getItem.aspx?id=31226>

The 12-member Wolf Management Advisory Council, a mix of livestock producers, hunters, educators, outfitters, conservationists, and other citizens, worked for seven months to develop 26 "Guiding Principles" organized in four broad subject areas that address the public interest, public safety, maintaining wildlife populations and protecting the livestock industry. An Interagency Technical Committee advised the council, providing scientifically based information about biological, technical, legal, or financial aspects of wolf conservation and management. The Technical Committee also helped the council identify and assess challenges associated with implementing overall management strategies or specific management actions. It was comprised of wolf experts and resource managers from NPS, USFWS, USFS, WS, and FWP.

The council delivered its report and recommendations to Gov. Racicot, and then governor-elect Judy Martz, in early 2001. Based on its public deliberations, the council reported that the State of Montana could contribute to wolf recovery in the northern Rockies. Furthermore, the council reported that, once recovered, wolves can coexist within Montana's complex biological, social, economic, and political landscape and that it is appropriate for FWP to develop a management program.

More specifically, the advisory council recommended that Montana:

- maintain wolf populations at levels that will prevent reclassification as threatened or endangered under federal law.
- encourage wolves to inhabit large, contiguous public-land areas where the potential for conflict is lowest.
- integrate wolf and wildlife management to maintain traditional hunting heritage and wildlife viewing opportunities.

- incorporate public outreach and encourage Native American cooperation.
- ~~share funding among state, federal, and private entities.~~
- act upon threatening wolf-human encounters consistent with black bear and mountain lion management guidelines.
- enhance deer and elk populations to support wolf populations, maintain recreational and viewing opportunities, and reduce the potential for livestock depredation.
- use hunting and trapping to manage increasing wolf numbers in a manner that will sustain wolf populations and preclude reclassification under federal law.
- recognize that tolerance for wolves on private property is fundamental to wolf population recovery and range expansion.
- ~~compensate livestock owners for losses at fair market value but do not use FWP funds to compensate depredation losses.~~
- provide incentives to livestock producers who use best management practices to decrease wolf/livestock conflicts.
- allow livestock owners to address wolf depredation problems on private lands as wolf numbers increase.
- use wolf numbers to address the management of wolf depredations on livestock. When wolf numbers are low, more conservative methods should be applied; more aggressive control methods should be applied as wolf numbers increase.

At the end of 2000, FWP officials characterized the advisory council's report as the first step toward acquiring wolf management responsibilities from the federal government. The group's work was aimed directly at helping to determine how to balance wolf numbers with the deer and elk they prey upon, address conflicts with livestock operations, ensure human safety, and how Montana's wolf management responsibilities should be funded.

With the advisory council's report in hand, Gov. Judy Martz directed FWP to use it to frame a wolf management plan. In response, FWP released the Montana Wolf Conservation and Management Planning Document. in January 2002 (Appendix 1). While the 117-page planning document reflected what a state wolf management plan could resemble if it were based on the council's work and recommendations, FWP still needed to hear from others and explore various alternatives before adopting a management plan in full compliance with the legal requirements of MEPA.

**MONTANA WOLF  
CONSERVATION  
AND  
MANAGEMENT  
PLANNING  
DOCUMENT  
*DRAFT*  
*PREPARED IN RESPONSE TO  
THE WOLF MANAGEMENT  
ADVISORY COUNCIL  
RECOMMENDATIONS  
JANUARY 2002***

**EXECUTIVE SUMMARY – excerpts from this document.**

Wolf population management will include the full range of tools from non-lethal to lethal and will incorporate public outreach, conservation education, law enforcement, and landowner relations. Wolves do not exist in isolation from their environment, nor should an effective management program isolate wolves from their environment. Management actions will be evaluated in light of prevailing conditions or extenuating circumstances. Wolf populations will fluctuate as a result of management actions, natural mortality, legal harvest, illegal take, wolf productivity, and ungulate population fluctuations. If there are fewer than 15 wolf packs in the state, management tools are primarily non-lethal, particularly in backcountry settings and for public lands near national parks.

Examples of non-lethal techniques include monitoring wolf locations using radio telemetry, changes in livestock husbandry practices, harassment, relocation, or attempts to modify wolf behavior. A minimum of 15 packs is required to use more liberal management tools, including lethal methods to resolve wolf-livestock, wolf-human conflicts, or concern over a localized prey population in light of the combined effects of predation and environmental factors.

MFWP will share responsibility with Montana Department of Livestock (MDOL) in managing wolf-livestock conflicts because Montana statutes assign responsibility to both agencies to manage wildlife causing damage to livestock. Wolves can create problems for some livestock producers. Financial losses may result directly from wolf depredation. Indirect costs may accumulate because of increased management activities, changes in husbandry practices, or uncompensated losses. These financial hardships accrue to individual farmers and ranchers and may be significant to them. Addressing wolf-livestock conflicts will entail two separate, but parallel elements. One element is the wolf management activities carried out by Wildlife Services (WS) and MFWP to minimize the potential for wolf-livestock conflicts and to resolve the conflicts where and when they develop. Examples are providing technical assistance, investigating complaints, and taking actions that reduce the probability that the offending wolf or wolves will be involved in another depredation incident. The management programs will be funded, administered, and implemented by the cooperating agencies. The second element addresses the economic losses through a compensation program when livestock are killed or injured by wolves.

The two elements, management and compensation, are funded, administered, and implemented separately and independently of one another -- but parallel one another, united in the goal of maintaining a viable wolf population and addressing wolf-livestock conflicts. MFWP and MDOL will work together, along with WS, to address and resolve wolf-livestock conflicts through a Memorandum of Understanding (MOU). MFWP, in cooperation with MDOL, will contract WS to respond to landowner or livestock producer wolf depredation complaints, to conduct field investigations, and to carry out management actions. MFWP has the ultimate responsibility for determining the disposition of wolves.

Montana recognizes that wolf population recovery and persistence will result in the loss of personal property or income due to wolf activity and depredation. Compensation is critical to maintaining tolerance for wolves by livestock producers who are adversely affected by financial losses due to wolves. Montana would like to maintain and enhance the benefits of the compensation program. But compensation payments cannot be made from MFWP funds or matching federal funds intended for wildlife or habitat programs. The State of Montana intends to find or create an entity to administer a compensation program if Defenders of Wildlife rescinds eligibility of Montana ranchers upon delisting. The entity or non-governmental organization would be independent of MFWP and MDOL to retain impartiality and the terms and negotiations take place directly with the producer. Agency decision-making on the disposition of the problem animal is independent of the outcomes of the compensation negotiations. Producers would be compensated for *confirmed* and *probable* livestock losses at fair market value at the time of death and at fall value for young of the year. Eligible livestock include cattle, calves, hogs, pigs, horses, mules, sheep, lambs, goats, and guarding animals. Despite the present uncertainty of how a compensation program would be designed and

administered, securing adequate funding for compensation is of equal priority as securing funding to implement the other state and federal agency management activities described in this plan.

We are committed to using MFWP funds and matching federal funds to conserve and manage this native species on equal standing with other carnivore species. We also acknowledge that existing financial resources are not adequate to fully implement all aspects of this plan. Some of the activities described in this plan fall within existing duties and responsibilities already carried out by MFWP or WS, but some activities clearly add to existing responsibilities and workloads. Additional funding will be required to implement wolf management (and related activities) and compensation. While the monies and administrative procedures to fulfill these parallel functions may or may not originate from the same source, adequate funds for each element are necessary. We will seek additional funding from a diversity of sources, including special state or federal appropriations, private foundations, or other private sources.